

PLANNING AND ZONING COMMISSION
MEMORANDUM

April 16, 2009



**Proposed Text Amendments to the Subdivision Ordinance and the Land and Site Development Ordinance
Removing the Exemption to Provide Sidewalks Allowed Development along Non-Curb and Gutter Streets**

Often during Planning and Zoning Commission discussion of development projects considered by the group, Commissioners have expressed concern that new sidewalk construction is not required because of an exemption in the ordinance allowed for development along streets without curb gutters.

Attached are proposed text amendments to two ordinances that will have the effect of removing the exemption to provide sidewalks that is currently allowed to developers who own property along a street that does not have curb and gutters.

In addition, staff is proposing a change to development standards for the South College Overlay District. When the South College Overlay was adopted, there was some hope that considerable Federal funding could be obtained to accomplish a major reconstruction of South College and unified design and installation of a pedestrian system could take place. This type of project is no longer within the current planning horizon, consequently staff recommends amending the ordinance to require developer installation of walkways as in other parts of Bryan.

The Land and Site Development Ordinance is Chapter 62 in the City of Bryan Code of Ordinances; the Subdivision Ordinance is Chapter 110.

Below are four sections in the two ordinances where changes are proposed. The current language is provided to show context; the proposed amendment will remove the highlighted phrases. Specifically, the staff recommends the following ordinance changes:

[Proposed Change Number One, Chapter 110 Subdivisions]

ARTICLE III. Design standards for subdivision within the city

Section 110-59. Standards for subdivision design.

(j) *Sidewalks.* Sidewalks shall be installed by the developer along both sides of all urban residential streets, arterials, collectors and cul-de-sac streets (not including around the bulb of cul-de-sac streets), ~~except along existing streets without curbs and gutters.~~ Sidewalks shall be constructed to city standards including handicap accessibility at corners and access drives. All sidewalks must terminate into streets or access drives with ambulatory ramps. New sidewalks shall be built to adjoin existing walks and taper to required width if necessary.

[Proposed Change Number Two, Chapter 110 Subdivisions]

ARTICLE IV. Design standards for subdivisions in the extraterritorial jurisdiction (ETJ)

Section 110-79. Generally.

(7) *Sidewalks.* Within the ETJ, sidewalks are not required under the following conditions:

- ~~a. Along major streets which do not have existing curbs and gutters.~~
- ~~b.~~ a. Along streets within subdivisions with lots over one acre.

[Proposed Change Number Three, Chapter 62 Land and Site Development]

DIVISION 2. Access, Parking and Circulation Provisions

Section 62-295. General.

(c) *Sidewalk requirement.* Any site plan requiring a full review by the site development review committee will require the design and construction of typical concrete sidewalks in accordance with city design standards on all existing and proposed ~~curb and gutter~~ streets adjacent to or included in the proposed site plan.

[Proposed Change Number Four, Chapter 62 Land and Site Development]

DIVISION 4. South College Corridor Overlay District

Section 62-596. Access and off-street parking standards.

~~(e) *Public sidewalks.* Public sidewalks will not be required for any portions of a lot that are directly adjacent to South College. Sidewalks will be required along all other curb and gutter streets.~~

The proposed ordinance amendments are scheduled for discussion and action by the Planning and Zoning Commission during the regular meetings on April 16, 2009. The Planning and Zoning Commission will have the opportunity to make a recommendation concerning these proposed ordinance changes to the City Council.

Staff recommends **approving** the proposed changes to the Bryan Code of Ordinances. Approving these ordinance changes will advance Bryan's goal of providing safe alternatives motor vehicle transportation.